



**Winston H. Hickox**

Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## Santa Ana Region

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**Gray Davis**  
Governor

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.  
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## AGENDA ANNOUNCEMENT

### REGIONAL BOARD MEETING

Friday, April 4, 2003

9:00 A.M.

**Cucamonga County Water District  
10440 Ashford Street  
Rancho Cucamonga**

#### NOTICE

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list may do so, as follows: go to [www.swrcb.ca.gov/rwqcb8](http://www.swrcb.ca.gov/rwqcb8) and choose "Subscribe to Electronic Mailing Lists" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date.

Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to [www.swrcb.ca.gov/rwqcb8](http://www.swrcb.ca.gov/rwqcb8) and select the item of interest.

1. **Introductions**
2. **Public Forum** — (Any person may address the Board at the commencement of the meeting on any matter within the Regional Board's jurisdiction and not related to an item which is to be considered separately. The Regional Board Chair requests that each person addressing the Regional Board observe a five-minute time limit.)
3. **Approval of minutes of the Regular Meeting of February 21, 2003.**  
{Barbara J. Laffoon 909/782-3285}
4. **Consideration of Consent Calendar Items** — (Items marked with an asterisk are expected to be routine and noncontroversial. The Regional Board will be asked to approve these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the calendar, it will be taken up in the order shown.)
- \*5. **Renewal of Waste Discharge Requirements for San Bernardino Municipal Water Department, Geothermal Facility, San Bernardino County, (NPDES No. CA8000015)** — Includes updated requirements for the discharge of geothermal wastewater from the City of San Bernardino Municipal Water Department's heat exchange system into creeks and storm drains that are tributaries to Reaches 4 and 5 of the Santa Ana River.  
{Jun Martinez 909/782-3258 or Susan K. Beeson 909/782-4902} Order No. R8-2003-0004

*California Environmental Protection Agency*



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6. **Waste Discharge Requirements, The Colonies Partners LP, The Colonies at San Antonio Project, Campus Avenue at 19<sup>th</sup> Street, Upland, San Bernardino County** — After-the-fact waste discharge requirements, including mitigation requirements, for the unauthorized fill of waters of the state at The Colonies at San Antonio project site. *(At the request of the discharger, this item has been postponed to the May 16, 2003 Board meeting).*  
{Jun Martinez 909/782-3258 or Susan K. Beeson 909/782-4902} Order No. R8-2003-0025
- \*7. **Rescission of Waste Discharge Requirements** — Waste discharge requirements for the following facilities are proposed to be rescinded because discharges from the facilities have been eliminated, or the discharges pose an insignificant threat to water quality.  
{Jun Martinez 909/782-3258 or Susan K. Beeson 909/782-4902} Order No. R8-2003-0051
- |    | Order No. | Facility and Location                        |
|----|-----------|--|
| 1. | 86-175    | LVW Brown Estates, Riverside                 |
| 2. | 76-128    | Bellegrave Truck Wash, Pedley                |
| 3. | 79-124    | CEMEX Construction Materials, Inc., Redlands |
| 4. | 00-003    | Mountainview Power Company, San Bernardino   |
| 5. | 00-004    | Riverside Canal Company, Grand Terrace       |
- \*8. **Revised Waste Discharge Requirements, City of San Bernardino Water Reclamation Plant, 399 Chandler Avenue, San Bernardino, San Bernardino County** — Revised waste discharge requirements recognizing the formal closure of the facility's former brine waste discharge ponds, and allowing the ponds to be used as temporary containment for emergency overflows from the facility's Nitrogen Removal Facility.  
{Dixie B. Lass 909/782-3295} Order No. R8-2003-0020
- \*9. **Federal Fiscal Year (FFY) 2003 State Revolving Fund (SRF) Loan Program for the Santa Ana Region** — The Board will consider adoption of the FFY 2003 Priority List of SRF projects within the Santa Ana Region.  
{Jun Martinez 909/782-3258 or Susan K. Beeson 909/782-4902} Resolution No. R8-2003-0053
- \*10. **Resolution Regarding Funding from the State Water Resources Control Board (SWRCB) Emergency, Abandoned and Recalcitrant Site Account** — The Board will consider a resolution supporting the acceptance of funds for underground storage tank sites from the Emergency, Abandoned and Recalcitrant Site Account from the SWRCB.  
{Kenneth R. Williams 909/782-4496} Resolution No. R8-2003-0049
11. **Request for Cleanup and Abatement Account Funds for Perchlorate Cleanup Projects** — The Board will consider adoption of a resolution requesting Cleanup and Abatement Account funds from the State Water Resources Control Board to support wellhead treatment projects to clean up perchlorate pollution in the Rialto, Colton and Chino groundwater subbasins (action item).  
{Gerard J. Thibeault 909/782-3284} Resolution No. R8-2003-0052
12. **Status Report on Rialto-Colton-Fontana Perchlorate Investigation** — Staff will provide an update on the progress of investigation of perchlorate pollution in this area (information item).  
{Ann E. Sturdivant 909/782-4904}
13. **U.S. Environmental Protection Agency** — Mike Schulz, U.S. E.P.A. Southern California Liaison, will update the Board on the work of the Agency and plans to locate a Southern California office (information item).  
{Gerard J. Thibeault 909/782-3284}

14. **Public Hearing - Basin Plan Amendment to Incorporate a Diazinon and Chlorpyrifos Total Maximum Daily Load (TMDL) for San Diego Creek and Upper Newport Bay** — The Board will receive comments on the proposed amendment and consider adoption of a resolution to amend the Basin Plan to incorporate a Total Maximum Daily Load (TMDL) for diazinon and chlorpyrifos in San Diego Creek and for chlorpyrifos in Upper Newport Bay as part of the TMDLs for toxic pollutants in the Newport Bay Watershed.  
{Wanda K. Smith 909/782-4468} Resolution No. R8-2003-0039
15. **2003 Santa Ana River Sampling at Prado Dam** — Staff will provide a written report on the annual water quality sampling of the Santa Ana River at Prado Dam (information item).  
{Hope A. Smythe 909/782-4493}
16. **Update on Compliance Status with Waste Discharge Requirements for Transportation Corridor Agencies/CALTRANS, District 12 - Eastern Transportation Corridor, Section 14, Denitrification Facility, Irvine, Orange County, Order No. R8-2002-0093 (NPDES No. CA8000390)** — The dischargers will update the Board regarding short-term options to reduce or eliminate selenium discharges to Peters Canyon Wash (e.g., sewerage of the treated (or untreated) groundwater collected in the passive subdrain system) (information item).  
{Gary Stewart 909/782-4379}
17. **Mandatory Penalty Complaint, Lenny's Auto & Truck Wrecking, Orange County** — The Board will consider whether to affirm, reject, or modify the proposed mandatory penalty complaint for violation of California Water Code Section 13399.30(c)(2)  
{Mark E. Smythe 909/782-4998} Mandatory Penalties Complaint No. R8-2003-0032
18. **Mandatory Penalty Complaint, Kinder Morgan Energy Partners, L.P., San Bernardino County** — The Board will consider whether to affirm, reject, or modify the proposed mandatory penalty complaint for violations of the General Groundwater Cleanup Permit, Order No. R8-2002-0007.  
{Ken R. Williams 909/782-4496} Mandatory Penalties Complaint No. R8-2003-0040
19. **Administrative Civil Liability Complaint, Avalon Homes, Orange County** — The Board will consider whether to affirm, reject, or modify the proposed administrative civil liability complaint for violations of the General Construction Activities Storm Water Permit. (*Postponed from February 21, 2003*)  
{Mark E. Smythe 909/782-4998} Administrative Civil Liability Complaint No. R8-2003-0021
20. **Administrative Civil Liability Complaint, Woodbridge Development, Orange County** — The Board will consider whether to affirm, reject, or modify the proposed administrative civil liability complaint for violations of the General Permit for Storm Water Discharges Associated with Construction Activities. (*Postponed from February 21, 2003*)  
{Mark E. Smythe 909/782-4998} Administrative Civil Liability Complaint No. R8-2003-0023
21. **Administrative Civil Liability Complaint, Downtown Auto Wrecking, San Bernardino County** — The Board will consider whether to affirm, reject, or modify the proposed administrative civil liability complaint for violations of the General Permit for Storm Water Discharges Associated with Industrial Activity.  
{Milasol C. Gaslan 909/782-4419} Administrative Civil Liability Complaint No. R8-2003-0008

22. **Administrative Civil Liability Complaint, Wildwood Canyon Country Estates, LLC, San Bernardino County** — The Board will consider whether to affirm, reject, or modify the proposed administrative civil liability complaint for violations of the General Permit for Storm Water Discharges Associated with Construction Activity.  
{Milasol C. Gaslan 909/782-4419} Administrative Civil Liability Complaint No. R8-2003-0026
23. **Administrative Civil Liability Complaint, Whisper Ranch Ltd., San Bernardino County** — The Board will consider whether to affirm, reject, or modify the proposed administrative civil liability complaint for violations of the General Permit for Storm Water Discharges Associated with Construction Activity.  
{Milasol C. Gaslan 909/782-4419} Administrative Civil Liability Complaint No. R8-2003-0027
24. **Administrative Civil Liability Complaint, Montclair 16215 LLC, San Bernardino County** — The Board will consider whether to affirm, reject, or modify the proposed administrative civil liability complaint for violations of the General Permit for Storm Water Discharges Associated with Construction Activity.  
{Milasol C. Gaslan 909/782-4419} Administrative Civil Liability Complaint No. R8-2003-0033
25. **Administrative Civil Liability Complaint, Taylor Woodrow, San Bernardino County** — The Board will consider whether to affirm, reject, or modify the proposed administrative civil liability complaint for violations of the General Permit for Storm Water Discharges Associated with Construction Activity.  
{Milasol C. Gaslan 909/782-4419} Administrative Civil Liability Complaint No. R8-2003-0036
26. **Administrative Civil Liability Complaint, Fieldstone Homes, San Bernardino County** — The Board will consider whether to affirm, reject, or modify the proposed administrative civil liability complaint for violations of the General Permit for Storm Water Discharges Associated with Construction Activity.  
{Milasol C. Gaslan 909/782-4419} Administrative Civil Liability Complaint No. R8-2003-0037
27. **Administrative Civil Liability Complaint, Robertson's Ready Mix, Orange County** — The Board will consider whether to affirm, reject, or modify the proposed administrative civil liability complaint for violations of the General Permit for Storm Water Discharges Associated with Industrial Activity.  
{Mark E. Smythe 909/782-4998} Administrative Civil Liability Complaint No. R8-2003-0043
28. **Hazardous Waste and Sewage Spill Incident Report** — Lists of such incidents will be provided as an information item to the Regional Board (information item).  
{Kurt V. Berchtold 909/782-3286}
29. **Underground Storage Tanks Site Closure Report** — Regional Board Staff will provide to the Board a list of site closures that have occurred within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728(d). (Information item).  
{Kenneth R. Williams 909/782-4496}
30. **Underground Storage Tanks Corrective Action Plans** — Regional Board Staff will provide a list of sites where Corrective Action plans have been submitted within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728 (information item).  
{Kenneth R. Williams 909/782-4496}
31. **General Permits** — Staff will provide a list of all new permittees recently enrolled under the Region's general permits (information item).  
{Jun Martinez 909/782-3258 or Susan K. Beeson 909/782-4902}

32. **Executive Officer's Report** (information item).  
{Gerard J. Thibeault 909/782-3284}
33. **Regional Board Member Communications** — Board Members may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Regional Board's jurisdiction. There will be no voting or formal action taken.
34. **Closed Session:** At any time during the regular session, the Regional Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon evidence introduced during a hearing. Discussion of litigation is within the attorney/client privilege and may be held in closed session.  
  
**Authority:** Government Code Section 11126 (a), (c)(3), and (e). Items which may be discussed in closed session by the Board include litigation related to:
  1. Stringfellow Hazardous Waste Site, and
  2. Potential Litigation: Discussion of Executive Officer's referral to the District Attorney of Clean Water Act violations for criminal prosecution.
35. **Adjournment** to the regular meeting of May 16, 2003, at 9:00 a.m., at the City Council Chambers of Santa Ana.

#### **NOTICES**

**Any person who is disabled and requires special accommodation to participate in this Regional Board Meeting should contact Barbara Laffoon at 909/782-3285 no later than ten (10) days prior to meeting.**

**Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act may do so by contacting Mark G. Adelson at (909) 782-3234.**

**California Regional Water Quality Control Board - Santa Ana Region**  
3737 Main Street, Suite 500, • Riverside, CA • 92501-3348 • FAX (909) 782-4130  
Internet Address: <http://www.swrcb.ca.gov/rwqcb8>

**BOARD INFORMATION SHEET**

**BOARD MEMBERS**

Carole H. Beswick, Chair  
Fred M. Ameri, Vice-Chair  
John B. Withers  
Jose J. Solorio  
Seymour D. Van Gundy  
Joan L. Dotson  
William Ruh  
Vacant  
Vacant

**APPOINTMENT CATEGORY**

County Government  
Industrial Water Use  
Water Quality  
Municipal Government  
Water Quality  
Water Supply  
Recreation, Fish and Wildlife  
Irrigated Agriculture  
Undesignated (Public)

**STATE BOARD LIAISON**

Peter S. Silva

**STAFF LEGAL COUNSEL**

Jorge Leon

**REGIONAL BOARD SENIOR STAFF**

Gerard J. Thibeault, Executive Officer  
Kurt V. Berchtold, Assistant Executive Officer, Ombudsman  
Joanne E. Schneider, Environmental Program Manager  
Robert L. Holub, Supervising Water Resource Control Engineer  
Michael J. Adackapara, Supervising Water Resource Control Engineer  
Gary D. Stewart, Chief of Surveillance and Enforcement  
Dixie B. Lass, Chief of Land Disposal  
Steven D. Mayville, Chief of Dairies/Chino Basin  
Wanda Marquis-Smith, Chief of Basin Planning - Coastal Waters  
Hope A. Smythe, Chief of Basin Planning - Inland Waters  
Mark G. Adelson, Chief of Regional Planning Programs  
Mark E. Smythe, Chief of Stormwater - Coastal  
Milasol C. Gaslan, Chief of Stormwater - Inland  
Jun Martinez, Chief of Regulations  
Ann E. Sturdivant, Chief of SLIC/Department of Defense and Above Ground Tanks  
Kenneth R. Williams, Chief of Pollutant Investigations  
Dorothy Wolfinbarger, Regional Administrative Officer  
Barbara Laffoon, Executive Assistant

**GENERAL STATEMENT**

The primary duty of the Regional Board is to protect the quality of the waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality control plans for all ground and surface water bodies in the region and by prescribing and enforcing requirements on waste discharges. The specific responsibilities and procedures of the Regional Water Quality Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Control Act (Division 7, California Water Code).

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer. The Board and the staff welcome information on pertinent problems but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing one week before the scheduled meeting and only a summary of pertinent issues to be presented verbally. For each matter considered, relevant Regional Board files are incorporated into the record.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code Section 11500 et seq.

#### DISCLOSURE STATEMENT

All persons who actively support or oppose the adoption of waste discharge requirements or NPDES permits pending before the Regional Board, must submit a statement to the board disclosing any contribution of \$250.00 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his/her agent, within the last twelve months to any Regional Board Member.

Also, all permit applications and all persons who actively support or oppose adoption of a set of waste discharge requirements and/or NPDES permits pending before the Regional Board are prohibited from making contributions of \$250.00 or more to any Board member for three months following a Regional Board decision on the permit application.

#### RIGHT TO PETITION

Any person affected adversely by a decision of the California Regional Water Quality Control Board, Santa Ana Region (Regional Board), may petition the State Water Resources Control Board (State Board) to review the decision. The petition must be received by the State Board within thirty days of the Regional Board's meeting at which the adverse action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request to the Regional Board.

NOTE: The agenda items are numbered for identification purposes only and will not necessarily be considered in the order listed. The Public Forum item will be limited to one hour.

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